

REMARKS

I. Formalities

Applicant thanks the Examiner for considering the references cited with the Information Disclosure Statements filed on October 17, 2003 and May 4, 2005, respectively.

However, the Examiner did not acknowledge Applicant's claim for foreign priority or indicate whether the Formal Drawings filed on October 17, 2003 are approved. Applicant respectfully requests that the Examiner acknowledge Applicant's claim for foreign priority and approve the aforementioned Formal Drawings.

II. Status of the Application

By the present Amendment, Applicant hereby amends claims 1, 7, 9, 11, 16, 18, 20, 22-24, 26-28, 30, 34-36, 38-41, 45, 47, 49, 51-53, 55-61, 63 and 65. Applicant also hereby adds new claims 67-82 to more fully protect the present invention.

Claims 1-82 are all the claims pending in the Application. The Examiner has rejected claims 1-6, 8, 13, 14, 22, 30-34, 42, 43, 51, 52, 54, 56-60, 62, 64 and 66 and objected to claims 7, 9-12, 15-21, 23-29, 35-41, 44-50, 53, 55, 61, 63 and 65.

The present Amendment addresses each point of objection and rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

III. Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 7, 9-12, 15-21, 23-29, 35-41, 44-50, 53, 55, 61, 63 and 65 would be allowable if rewritten in independent form. However, Applicant respectfully requests that the Examiner hold in abeyance such rewriting until the

Examiner has had an opportunity to reconsider (and withdraw) the prior art rejection of the other claims.

IV. Claim Rejections - 35 U.S.C. § 102

The Examiner has rejected claims 1-6, 8, 13, 14, 22, 30-34, 42, 43, 51, 52, 54, 56-60, 62, 64 and 66 under 35 U.S.C. § 102(c) as allegedly being anticipated by U. S. Patent No. 6,442,275 to Diethorn (hereinafter "Diethorn"). Applicant respectfully traverses these rejections for *at least* the reasons set forth below.

Rejections under 35 U.S.C. § 102 are proper only when the claimed subject matter is identically disclosed or described in the prior art. Thus, in order for the current rejections to be proper, the cited Diethorn reference must clearly and unequivocally disclose every element and recitation of the claimed invention.

A. Independent Claim 1

First, the grounds of rejection broadly point to virtually the entire disclosure of Diethorn as allegedly disclosing the features of claim 1, without identifying any specific evidentiary support in Diethorn to support the conclusory allegations upon which the rejections are based. In fact, the grounds of rejection fail to provide any detailed analysis of the Diethorn reference whatsoever.

Contrary to the requirements of the MPEP, the grounds of rejection make no attempt to identify where each claimed element is disclosed in Diethorn and, thus, the grounds of rejection have failed to establish that the cited Diethorn reference clearly and unequivocally discloses every element and recitation of the claimed invention, for *at least* these reasons.

To this effect, the MPEP explicitly requires that, in rejecting claims for want of novelty, the pertinence of each reference must be clearly explained. (MPEP §706). Further, the MPEP requires that the particular part of the Diethorn reference relied on must be designated as nearly as practicable. (See MPEP §706). Here, the grounds of rejection have cited nearly the entire disclosure of Diethorn without providing any detailed analysis of Diethorn whatsoever and, in doing so, the grounds of rejection have clearly failed to designate as nearly as practicable the particular aspects of Diethorn upon which the current rejections are based. Therefore, the grounds of rejection fail for *at least* these reasons.

Second, the grounds of rejection fail to identify any specific aspect of Diethorn's disclosure that corresponds to a spectral shaper, as claimed. Indeed, claim 1 recites a spectral shaper for receiving one of said near-end signal and said residual echo as a first input signal, receiving said echo replica as a second input signal, estimating from the first and second input signals said acoustic echo component when said speech activity is low or zero, and shaping spectrum of said first input signal with the estimated acoustic echo component. However, Diethorn nowhere discloses or suggests this feature. In particular, Diethorn fails to disclose or suggest a spectral shaper for estimating from the first and second input signals said acoustic echo component when said speech activity is low or zero, and shaping spectrum of said first input signal with the estimated acoustic echo component, as claimed.

Therefore, Applicant submits that claim 1 is not anticipated by Diethorn for *at least* these reasons. Further, Applicant submits that the dependent claims 2-6, 8, 13 and 14 are patentable *at least* by virtue of their dependency on claim 1. Thus, Applicant respectfully requests that the Examiner withdraw these rejections.

B. Independent Claim 22

Independent claim 22 requires (among other things):

...subband spectral shaping means for receiving one of said near-end signal and said subband residual echo as a first subband input signal, receiving said echo replica as a second subband input signal, estimating said acoustic echo component by modifying said second subband input signal, and shaping said first subband input signal with the estimated acoustic echo component to produce an output signal of the subband echo suppressor...

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that arguments analogous to the foregoing arguments as to the patentability of independent claim 1 demonstrate the patentability of claim 22. As such, it is respectfully submitted that claim 22 is patentably distinguishable over the cited Diethorn reference *at least* for reasons analogous to those presented above. Thus, the allowance of this claim is respectfully solicited of the Examiner.

C. Independent Claim 30

Independent claim 30 requires (among other things):

...d) receiving one of said near-end signal and said residual echo as a first input signal, receiving said echo replica as a second input signal, and estimating said acoustic echo component by modifying said echo replica; and

e) shaping spectrum of said first input signal with the estimated acoustic echo component.

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that arguments analogous to the foregoing arguments as to the patentability of independent claim 1 demonstrate the patentability of claim 30. As such, it is respectfully submitted that claim 30 is patentably distinguishable over the cited Diethorn reference *at least* for reasons analogous to those presented above. Further, Applicant submits that the dependent claims 30-34, 42 and 43 are allowable *at least* by virtue of their dependency on claim 30. Thus, the allowance of these claims is respectfully solicited of the Examiner.

D. Independent Claim 51

Independent claim 51 requires (among other things):

... f) receiving one of said subband residual echo and said near-end signal as a first subband input signal, receiving said echo replica as a second subband input signal, and estimating said acoustic echo component by modifying said second subband input signal;

g) shaping said first subband input signal with the estimated acoustic echo component to produce an output signal...

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that arguments analogous to the foregoing arguments as to the patentability of independent claim 1 demonstrate the patentability of claim 51. As such, it is respectfully submitted that claim 51 is patentably distinguishable over the cited Diethorn reference *at least* for reasons analogous to those presented above. Further, Applicant submits that the dependent claims 52, 54 and 56-58 are

allowable *at least* by virtue of their dependency on claim 51. Thus, the allowance of these claims is respectfully solicited of the Examiner.

E. Independent Claim 59

Independent claim 59 requires (among other things):

...a plurality of subband spectral shaping means, each of the subband spectral shaping means receiving a corresponding one of the first set of subband frequency component signals as a first subband signal, receiving a corresponding one of the second set of subband frequency component signals as a second subband signal, estimating a subband noise component by modifying said second subband signal, and shaping the first subband signal with the estimated subband noise component...

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that arguments analogous to the foregoing arguments as to the patentability of independent claim 1 demonstrate the patentability of claim 59. As such, it is respectfully submitted that claim 59 is patentably distinguishable over the cited Diethorn reference *at least* for reasons analogous to those presented above. Further, Applicant submits that the dependent claims 60, 62, 64 and 66 are allowable *at least* by virtue of their dependency on claim 59. Thus, the allowance of these claims is respectfully solicited of the Examiner.

V. New Claims

New claims 67-82 have been added to more fully protect the present invention and are fully supported by the original specification. No new matter has been added.

Applicant submits that claims 67-82 are patentable *at least* by virtue of their dependency and by virtue of the recitations set forth therein.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: September 18, 2007